

01/28/00  
JC715 U.S. PTO

Atty. Dkt. No. 7426.100A

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Anticipated Classification of  
this application:

Class \_\_\_\_\_, Subclass \_\_\_\_\_

Prior Application:

Examiner M. LUBY

Art Unit 3721

jc598 U.S. PTO  
09/492811  
01/28/00

Box Patent Application  
Honorable Commissioner of Patents and Trademarks  
Washington, D.C. 20231

Sir:

This is a request for filing a [X] continuation [ ]  
divisional application under 35 U.S.C. 120 and/or 37 C.F.R.  
1.60, of pending prior application serial no(s). 09/074,670  
filed May 8, 1998; which is a DIV of 08/681,996 filed 7-30-96

(now U.S. Pat. No. 5,820,268)

\_\_\_\_\_, ~~filed xxx~~ \_\_\_\_\_, of

John W. Becker, for METHOD AND

APPARATUS FOR PACKING PERISHABLE FOODS

1. [X] Enclosed is a copy of the prior application(s),  
including the oath or declaration as originally  
filed and an affidavit or declaration verifying  
it as a true copy.
2. [ ] Enclosed is a Request for Extension of Time for  
(1/2/3/4) month(s).
3. The filing fee is calculated below:

CLAIMS AS FILED IN THE PRIOR APPLICATION,  
LESS ANY CLAIMS CANCELLED BY AMENDMENT BELOW

	(Col. 1)	(Col. 2)	Small Entity		Other Than A Small Entity	
FOR:	No. Filed	No. Extra	Rate	Fee	Rate	Fee
Basic				\$ <del>345.</del>		\$690.
Total Claims	12 -20=	*	x \$9	\$	x \$18	\$
Indep. Claims	1 -3=	*	x \$39	\$	x \$78	\$
Mult. Dep. Claim Present			+ \$130		+ \$260	
			Total	\$ 345.	Total	\$

\* If the difference in col. 1 is less than zero, enter "0" in col. 2

4. ☒ The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment to Account No. 50-0548. A duplicate copy of this sheet is enclosed.
5. ☒ A check in the amount of \$ 345.00 is enclosed.
6. ☒ Cancel in this application original claims 1-12 of the prior application before calculating the filing fee.
7. ☒ Please amend the specification by inserting before the first line the sentence: --This is a ☒ continuation, ☐ division of application serial no(s). 09/074,670 filed 5/8/98; which is a DIV of 08/681,996, filed 7/30/96 (now U.S. Pat. No. 5,820,268) the -- disclosure of which are all hereby incorporated by reference.--
8. ☐ Transfer the drawings from the prior application to this application and abandon said prior application as of the filing date accorded this application. A duplicate copy of this sheet is enclosed for filing in the prior application file.

8a. ☒ Informal/formal drawings are enclosed.

8b. ☐ Priority of application serial no(s).  
\_\_\_\_\_, filed on  
\_\_\_\_\_, in  
\_\_\_\_\_ is claimed under 35 U.S.C. 119.

☐ The certified copy has been filed in prior application serial no(s).  
\_\_\_\_\_, filed  
\_\_\_\_\_.

9. ☐ The prior application(s) is(are) assigned of record to  
\_\_\_\_\_

10. ☒ The power of attorney in the prior application(s) is/are to:

Myers, Liniak & Berenato

a. ☒ The power appears in the original papers in the prior application(s).

b. ☐ Since the power does not appear in the original papers, a copy of the power in the prior application is enclosed.

c. ☒ Address all future communications to:

Thomas P. Liniak, Esquire  
Liniak, Berenato, Longacre & White  
6550 Rock Spring Drive, Ste. 240  
Bethesda, Maryland 20817  
(301) 896-0600

11. ☒ A preliminary amendment is enclosed. Claims added by this amendment have been properly numbered consecutively beginning with the number next following the highest numbered original claim in the prior application.

12. [ X] I hereby verify that the attached papers are a true copy of prior application serial no(s).  
09/074,670 filed 5/8/98; which is a DIV of  
08/681,996 as originally filed on  
7/30/96 (now U.S. Pat. No. 5,820,268) the  
disclosure of which are all hereby incorporated  
herein by reference.

The undersigned declares further that all statements made herein of his own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Dated: 12/8/98

Thomas P. Liniak  
Thomas P. Liniak, Esquire  
Reg. No. 33,415  
Attorney for Applicant(s)

[ ] inventor(s)  
[ ] Assignee of complete  
interest  
[ X ] Attorney or agent of  
record  
[ ] Filed under Rule 34(a)

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